

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

771M0088

SENATE TRANSPORTATION COMMITTEE

ENGROSSED NO. **SB 107** - 01/24/2006

Introduced by: Senators Olson (Ed), Dempster, Duniphan, Hansen (Tom), Knudson, and Sutton (Duane) and Representatives Sebert, Buckingham, Cutler, Hennies, Kroger, Michels, Putnam, and Vehle

1 FOR AN ACT ENTITLED, An Act to revise the definition of manufacturer as it relates to the  
2 ownership of certain motor vehicle dealerships and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-6B-79 be amended to read as follows:

5 32-6B-79. In §§ 32-6B-79 to 32-6B-83, inclusive, the term, manufacturer, includes a  
6 representative or a person or entity who is directly or indirectly controlled by, or is under  
7 common control with, the manufacturer. For purposes of this section, a person or entity is  
8 controlled by a manufacturer if the manufacturer has the authority directly or indirectly, by law  
9 or by agreement of the parties, to direct or influence the management and policies of the person  
10 or entity. However, the term, manufacturer, does not include any person or entity who  
11 manufactures or assembles less than two hundred fifty motorcycles a year or who manufactures  
12 or assembles trailers.

13 Section 2. Whereas, this Act is necessary for the support of the state government and its  
14 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in



- 1 full force and effect from and after its passage and approval.